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Chairman

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Public Utility Commission of Texas

August 21, 2003

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW, Suite TW-A325
Washington, DC 20554

RE: **Ex Parte Communications** – *In the Matter of Provision of Directory Listing Information Under the Communications Act of 1934, As Amended*, CC Docket No. 99-273; *The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, CC Docket No. 92-105; *Administration of the North American Numbering Plan*, CC Docket No. 92-237; FCC 01-384.

Dear Ms. Dortch:

The Public Utility Commission of Texas (Texas PUC) submits these *Ex Parte* Comments in response to the Notice of Proposed Rulemaking (NPRM) released January 9, 2002 in the above-captioned proceeding. The Texas PUC supports the Federal Communications Commission's (FCC's) efforts in initiating a review of the Commission's policies regarding competition in the retail directory assistance (DA) markets. Given that pricing for directory assistance calls in SBC Texas's areas has increased 317% from September 1999 to December 2002 from \$0.30/use to \$1.25/use,¹ the Texas PUC supports further consideration of additional measures that would encourage competition in the retail DA market. Furthermore, the Texas PUC generally supports the comments provided by the Oklahoma Corporation Commission (OCC) on April 1, 2002 in this proceeding. In particular, the Texas PUC urges the FCC to take into consideration the interests of consumers, including consumer demand, in the process of reviewing policy issues surrounding retail DA competition. Similarly, the Texas PUC encourages the FCC to work in collaboration with the telecommunications industry regarding technically feasible, cost-effective solutions in the public interest. The Texas PUC agrees with the OCC that the telecommunications industry is in the best position to determine the most appropriate solution.

¹ See Report to the 78th Texas Legislature on Scope of Competition in Telecommunications Markets of Texas at 56 (Jan. 15, 2003). Also, note that according to Section 11, subsection 2.1 of the SBC General Exchange Tariff, customers with single line residence service are allowed three direct dialed Directory Assistance Calls or six Directory Assistance listings (whichever is used first) per month without a charge.



As noted in the NPRM ¶34, the FCC is interested in comments regarding solutions that would minimize customer confusion. In evaluating the potential solutions suggested in the NPRM, the Texas PUC encourages the FCC not to eliminate 411 altogether. The Texas PUC believes that 411 is universally recognized by consumers, and that, irrespective of whether the FCC allows other non-RBOC providers to use 411, the number should be retained for access to retail DA.

The Texas PUC appreciates the opportunity to provide *Ex Parte* comments in support of the FCC's efforts to review regulations regarding competition in the retail DA market.

Respectfully submitted,

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